IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINETH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 10261 of 2004

Between:
Shanti Prakash Shukla, S/o Late Amruthlal Shukla,
R/o Sircilla Village & Mandal, Karimnagar District.

..... PETITIONER

AND

1 Superintending Engineer, R&B, Karimnagar.
2 The Registrar General, High Court of Andhra Pradesh,Hyderabad.
3 The District & Sessions Judge, Karimnagar District.
4 Senior Civil Judge, Sircilla.
5 Junior Civil Judge, Sircilla.

...RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of writ of mandamus and declare the action of the Respondent 1 and Respondent 5 in constructing the compound wall in deviation from the plan approved by the Hon'ble High Court as illegal and arbitrary and consequently to direct the Respondent 1 and 5 not to encroach upon the land of the petitioner in S.No. 666 at Sircilla Village and Mandal.

For the Petitioner:MR.K.RAVINDER REDDY, Advocate

For the Respondent No.: MR.C.V.NAGARJUNA REDDY, SC for High Court

The Court Made the Following :

O R D E R :

This writ petition is filed by the petitioner alleging that the Junior Civil Judges' Court authorities have encroached into his land in Survey No.666 at Sircilla Village and Mandal, Karimnagar District. Therefore, the present writ petition is filed seeking a direction to respondents 1 to 5 herein not to encroach upon the land of the petitioner.

2. At the time of admission itself, learned Standing Counsel appearing for second respondent was directed to get instructions. On instructions, it is represented by the learned Standing Counsel that the Court authorities have not encroached upon any land of the petitioner and that first respondent authority is constructing a compound wall of the Court buildings as per the sanctioned plan by the High Court and there is no encroachment. In view of the said representation, the petitioner is not entitled for any relief as it is a disputed question of fact.

3. The writ petition is accordingly dismissed. However, this order does not preclude the petitioner, if he is aggrieved against any action of the respondents, to take appropriate proceedings before the competent Civil Court, to prove his case.

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(S.ANANDA REDDY,J)

Dt.29-06-2004.

ASSISTANT REGISTRAR

To

1 Superintending Engineer, R&B, Karimnagar.

2 The Registrar General, High Court of Andhra Pradesh,Hyderabad.

3 The District & SessionS Judge, Karimnagar District.
4 Senior Civil Judge, Sircilla.
5 Junior Civil Judge, Sircilla.
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Msr.

HON'BLE SRI JUSTICE S.ANANDA REDDY

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